

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

DEBORAH DAVIDSON,	:	CIVIL ACTION NO. 2:20-cv-1641
	:	
Plaintiff,	:	
vs.	:	JURY TRIAL DEMANDED
	:	
THE PEGGS COMPANY, INC.,	:	
	:	
Defendant.	:	ELECTRONICALLY FILED

NOTICE OF REMOVAL

TO THE HONORABLE JUDGES IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF PENNSYLVANIA:

Defendant, The Peggs Company, Inc., by and through its attorneys, Rawle & Henderson
LLP, respectfully aver as follows:

1. Plaintiff commenced a civil action against defendants in the Court of Common Pleas of Allegheny County, Pennsylvania, with the filing of a Complaint on October 7, 2020.
2. Plaintiff's most recent Complaint named The Peggs Company, Inc., as defendant. *See* Exhibit "A" – Plaintiff's Complaint.
3. Plaintiff, Deborah Davidson, alleges that she sustained injuries and damages, including a broken femur and humerus which required surgeries among other injuries. *See* Plaintiff's Complaint ¶¶34-35, 44-45 and 57-58 attached hereto as Exhibit "A."
4. Plaintiff also alleges, based on her surgeries, she developed post-operative diabetic ketoacidosis, requiring a lengthy stay in the ICU. *See* Plaintiff's Complaint ¶12.
5. Based upon a fair reading of the Complaint, Plaintiff Deborah Davidson, has set forth a claim in which upon information and belief, states a claim for an amount in excess of the jurisdictional limit of \$75,000.00, exclusive of interest and costs, may be at stake. *See* Plaintiff's Complaint ¶¶34-36, 44-46 and 57-59.

6. Plaintiff, Deborah Davidson, is a citizen of the Commonwealth of Pennsylvania. See Plaintiff's Complaint attached hereto as Exhibit "A." ¶1.

7. Defendant, The Peggs Company, Inc., is a California corporation, with its principal place of business at 4851 Felspar Street, Riverside, CA 92509. See Plaintiff's Complaint attached hereto as Exhibit "A." ¶2.

8. "The district courts shall have original jurisdiction of all civil actions where the matter in controversy exceeds the sum or value of \$75,000, exclusive of interest and costs, and is between citizens of different States." 28 USCS § 1332(a)(1).

9. Furthermore, diversity of citizenship existed at the time the action sought to be removed was commenced and continues through the time of filing of this notice, such that defendant is entitled to removal pursuant to 28 U.S.C. §1441, as amended, and 28 U.S.C. §1446.

WHEREFORE, Defendant The Peggs Company, prays that the above-captioned action now pending in the Court of Common Pleas of Allegheny County, Pennsylvania, be removed therefrom to this Honorable Court.

RAWLE & HENDERSON LLP

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Dated: October 28, 2020

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the within **NOTICE OF REMOVAL**, was forwarded to counsel below named on the 28th day of October, 2020.

VIA EMAIL

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